

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In re:	§	
	§	Chapter 11
23ANDMEHOLDING CO., <i>et al.</i> ,	§	
Debtors.	§	Case No. 25-40976
	§	
	§	(Jointly Administrated)
The State of Arizona, <i>ex rel.</i> Kristin K. Mayes, the	§	
Attorney General; Office of the Attorney General,	§	
State of Colorado; State of Connecticut; District of	§	Hon. Brian C. Walsh
Columbia, Office of the Attorney General; State of	§	U.S. Bankruptcy Judge
Florida, Office of the Attorney General, Department	§	
of Legal Affairs; Office of the Illinois Attorney	§	
General; The State of Kansas; The Commonwealth	§	Adversary No. 25-04035
of Kentucky, <i>ex rel.</i> Russell Coleman, Attorney	§	
General; State of Louisiana; State of Maine;	§	
Michigan Attorney General, <i>ex rel.</i> the People of the	§	
State of Michigan; State of Minnesota, by its	§	
Attorney General, Keith Ellison; State of Missouri,	§	
Andrew Bailey, Attorney General; New Hampshire	§	
Office of the Attorney General, Consumer	§	
Protection Division; New Mexico Department of	§	
Justice; New York State Attorney General's Office;	§	
State of North Carolina; State of Oklahoma; The	§	
State of Oregon, by and through its Attorney General	§	
Dan Rayfield; The Commonwealth of Pennsylvania;	§	
The State of South Carolina <i>ex rel.</i> Alan Wilson, in	§	
his official capacity as Attorney General of the State	§	
of South Carolina; The Attorney General for the	§	
State of South Dakota; State of Utah, Office of the	§	
Utah Attorney General; State of Vermont;	§	
Commonwealth of Virginia, <i>ex rel.</i> Jason S.	§	
Miyares, Attorney General; Washington Attorney	§	
General Nick Brown; Office of the West Virginia	§	
Attorney General; State of Wisconsin,	§	
Plaintiffs,	§	
v.	§	
	§	
23ANDME HOLDING CO., <i>et al.</i> , <sup>1</sup>		
Defendants.		

<sup>1</sup> A complete list of Debtors in these chapter 11 cases may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/23andMe>. The Debtors' service address for purposes of these chapter 11 cases is: 870 Market Street, Room 415, San Francisco, CA 94102.

**NOTICE OF DISMISSAL OF ADVERSARY COMPLAINT WITHOUT PREJUDICE**

COMES NOW, The State of Arizona, *ex rel.* Kristin K. Mayes, the Attorney General; State of Connecticut; District of Columbia, Office of the Attorney General; State of Florida, Office of the Attorney General, Department of Legal Affairs; Office of the Illinois Attorney General; The State of Kansas; State of Louisiana; State of Maine; Michigan Attorney General, *ex rel.* the People of the State of Michigan; State of Minnesota, by its Attorney General, Keith Ellison; New Hampshire Office of the Attorney General, Consumer Protection Division; New Mexico Department of Justice; New York State Attorney General's Office; State of North Carolina; State of Oklahoma; The State of South Carolina *ex rel.* Alan Wilson, in his official capacity as Attorney General of the State of South Carolina; The Attorney General for the State of South Dakota; State of Utah, Office of the Utah Attorney General; State of Vermont; Commonwealth of Virginia, *ex rel.* Jason S. Miyares, Attorney General; Washington Attorney General Nick Brown; Office of the West Virginia Attorney General; State of Wisconsin, by and through Abigail R. Ryan, Bankruptcy Counsel, National Association of Attorneys General; and by the State of Colorado, by and through Senior Assistant Attorney General, Robert Padjen; by The Commonwealth of Kentucky, *ex rel.* Russell Coleman, Attorney General; by the State of Minnesota, by its Attorney General, Keith Ellison; by the State of Missouri, Andrew Bailey, Attorney General; by the State of Oregon *ex rel.* Dan Rayfield, Oregon Attorney General, by and through Senior Assistant Attorney General, Justin D. Leonard; by the Commonwealth of Pennsylvania, Office of the Attorney General, by and through Deputy Attorney General Lauren A. Michaels, and files this *Notice of Dismissal of Adversary Complaint Without Prejudice* and states as follows:

**I. FACTS**

1. On May 19, 2025, the Debtors filed a notice of successful bidder and backup bidder, reflecting that the successful bidder was Regeneron, and the backup bidder was TTAM.<sup>2</sup>

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<sup>2</sup> Case No. 25-40976 at dkt. no. 420.

2. On June 9, 2025, the States filed this adversary complaint<sup>3</sup>, based upon the sale structure proposed in filings at that time.

3. On May 31, 2025, TTAM filed an objection<sup>4</sup> to the auction process, and sought to reopen bidding, and on June 6, 2025, an order was entered setting out the procedures for the final round of bidding.<sup>5</sup> After the conclusion of the auction, TTAM became the winning bidder and Regeneron the backup bidder and TTAM and the Debtors agreed to structure the sale as a transfer of equity.

4. While the States still objected to the sale to TTAM, the States were able to reach an agreement with TTAM for the implementation of additional consumer protections and privacy provisions if the sale was approved by the Court<sup>6</sup>, and, as such, the States<sup>7</sup> did not advance their objection at the sale hearing that was held on June 18<sup>th</sup> and 20<sup>th</sup> of 2025, nor did the States withdraw their objection.<sup>8</sup>

5. On June 27, 2025, the Court entered an order overruling the States' objection and approving the sale to TTAM.<sup>9</sup>

6. On July 14, 2025, the sale to TTAM closed,<sup>10</sup> assuring that Regeneron, as backup bidder, would not acquire these assets as originally proposed.

## **II. DISMISSAL WITHOUT PREJUDICE**

7. Based upon the facts set out above, the issues raised in this adversary complaint are rendered moot.

8. As such, the States withdraw this adversary complaint without prejudice to the raising of these issues in future litigation.

Dated: July 30, 2025,

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<sup>3</sup> Dkt. No. 1.

<sup>4</sup> Case No. 25-40976 at dkt. no. 573.

<sup>5</sup> Case No. 25-40976 at dkt. no. 657.

<sup>6</sup> See Case No. 25-40976 at dkt. no. 739, p.113.

<sup>7</sup> The State of Utah and the Commonwealth of Kentucky filed separate, stand-alone objections to the TTAM sale and advanced their objections at the sale hearing. These objections were also overruled.

<sup>8</sup> The Commonwealth of Virginia did not affirmatively sign on to the agreement but also did not advance or withdraw the objection, but they are a party to this dismissal.

<sup>9</sup> Case No. 25-40976 at dkt. no. 910.

<sup>10</sup> Case No. 25-40976 at dkt. no. 994.

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2025, a true and correct copy of the foregoing document was served via the Court's ECF system upon all those who receive electronic notifications.

/s/ Abigail R. Ryan  
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Bankruptcy Counsel  
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